

Dkt. No.: OP-092000390

REMARKS

Claims 1-14 are pending in this application. The Examiner has rejected claim 5 under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 1, 3-5, 9-11 and 14 have been rejected under 35 U.S.C. §102(e) as being anticipated by Dong et al. (US 6,935,420) and claim 2 and claims 6-8, 12 and 13 have been rejected under 35 U.S.C. §103(a) as being unpatentable further in view of Bhatia et al. (US 2003/0123228) and Campbell et al. (US 2003/0150770), respectively.

In response to Examiner's rejections, Applicant has amended claim 5 to overcome the §112 rejection. Therefore, this rejection should be withdrawn. Moreover, claims 1-3, 6, 7 and 14 has been amended to be distinct from the above-mentioned citations for at least the following reason.

Applicants' protection structure for the thermal conducting medium of the heat dissipation device structure, in the amended claims 1 and 6, the support structure 12 is dented in the planar bottom surface 10 to form as a plurality of bumps (Figures 1-4), a pair of ribs (Figures 5-7) or a pair of ridges (Figure 9) and the friction fit structure 112 is dented in the side wall 11 to form as a plurality of ribs (Figures 5-7). However, none of Examiner's asserted support structure or parallel ribs or ridges in Dong's, or Bhatia's heat conducting path 28, or Campbell's detent 20 is the same.

Therefore, the pending claims 1, 3-5, 9-11 and 14 are not anticipated by Dong. As stated in MPEP §2131:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the...claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

AMENDMENT


10/779,698

- 4 -

Dkt. No.: OP-092000390

(Emphases added).

Furthermore, obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). Therefore, Applicant respectfully submits that there is no teaching, suggestion or motivation within the prior art to combine Dong and Bhatia or Campbell as the combination of features recited in Applicant's pending claim 2 or claims 6-8, 12 and 13, respectively.

In view of the foregoing, the application is believed to be in condition for allowance. Entry of the amendments and issuance of a Notice of Allowance is therefore respectfully requested. If any additional fee is required, please charge Deposit Account Number 502751, authorized by Chun-Ming Shih signed 

AMENDMENT

10/779,698

- 5 -

Dkt. No.: OP-092000390

Accordingly, the application is deemed to be in condition for allowance and such a Notice is earnestly solicited.

Respectfully submitted,


Chi-Lin Chang


Hui-Min Tsui

AMENDMENT

-6-

10/779,698